

## ***Topsfield Conservation Commission***

**Meeting of October 27, 2010**

Topsfield Library Meeting Room

Present: George Hall, Chairman; Holger Luther; Jennie Merrill; Jim MacDougall; Cheryl Jolley; Lana Spillman, Conservation Administrator; Lisa Nihan-Demeule, Minutes Secretary.

Also Present: Dick Gandt, BoS liaison.

DEP - Department of Environmental Protection

TCC - Topsfield Conservation Commission

BoS - Board of Selectmen

EPA - U.S. Environmental Protection Agency

OML - Open Meeting Law

OoC - Order of Conditions

CoC - Certificate of Compliance

CR - Conservation Restriction

YOP - Yearly Operational Plan

With a quorum present, the meeting was called to order by Hall at 7:16 p.m.

Cheryl Jolley was welcomed as the newest member of the TCC.

**CoC 307-0577: 35 Main Street**, (Map 41, Lot 34), DiBlasi

This is the original OoC for the project, issued to the previous owner, Iovanella. Luther made a motion to issue a CoC for file 307-0577, 35 Main Street. MacDougall seconded. There was a unanimous vote in favor.

### **Meeting Minutes:**

TCC members will e-mail their corrections to Spillman, and she will send them out as corrected. Hall accepted a motion BY Merrill to table the listed meeting minutes until the next meeting. MacDougall seconded. There was a unanimous vote in favor.

### **Other:**

Each TCC member has to sign OML paperwork.  
Spillman will send out additional materials.

### **Administrator's Report:**

**270 Boston Street, EO, Restoration Plan**, Albright

MacDougall disclosed that he works with DeRosa now.

Spillman has drafted a letter. DeRosa is frustrated and unhappy about the mowing that occurred. Hall is not satisfied with the draft Albright letter and will rework it.

**TCC 2006-01, 72 Hill Street,** (Map 69, Lot 16), Malinowski  
Spillman made two site visits. On the first visit, October 12, check dams had been constructed, and the wood was down to the level of ground but wasn't entrenched. Malinowski indicated he would place hay and stone. At a subsequent visit on October 22, Spillman noted that the stone had not been installed. The end result was that an intervening storm had eroded under what had been constructed. Luther visited the site today. He said it is very important that the check dams be keyed in to the sides and bottom of the streambed, not to stop the flow of water, but to control it. TCC asked Spillman to communicate to Malinowski that if he chooses to do the work without professional assistance he still is obligated to do it according to plan or TCC will order him to do it.  
*MacDougall made a motion that if the OoC work is not done in accordance with the plans by November 15, then TCC will start issuing fines daily. Luther seconded. There was a unanimous vote in favor.*

**Enforcement Orders, Cross Street,** (Map 62, Lot 2), Nash -  
update  
Spillman indicated that the EPA has asked for names of local newspapers.

**20/24 Asbury Street-Lamson House,** (Map 21, Lot 10), Finn  
Spillman made a site visit on October 19. She noticed vegetation coming up. She will continue monitoring.

**OoC 307-0663: Rail Trail Summer Street to Wenham Line,** (Map 49 & 58, Lots 44, 88 & 2, 52), update  
Railroad ties are stockpiled at the Summer Street end of this section of the Rail Trail. Spillman explained that Demers and Geller have calculated that any fill they are proposing in the area of the Ipswich River floodplain would be above the floodplain elevations, with the possible exception of the fisherman access area (plan not submitted yet for that area).

**12 Boston Street/English Commons,** (Map 81, Lot 1), Berry  
Spillman reported that the CR has been recorded.  
MacDougall said it is important to hay the fields at the right time for the birds to get the full benefit. Native grasses mature later in the season. The European hay mix conflicts with the birds' cycle. If the owner establishes a relationship with someone who will hay, the new trustees will only have to maintain that relationship.

**307-0638, 57 Candlewood Drive/109R Perkins Row,** (Map 43, Lot 7)  
Skeffington/Decoulos

Before the hearing, Spillman will assemble requested information. Hall would like to know what is in the record submitted to Superior Court.

**National Grid YOP**

Topsfield is included for spraying in 2011. Gandt said when phase 2 was completed, the idea of leaving behind the larger logs was for people to take them, e.g. for firewood. MacDougall said the spraying is an economic issue. They spot apply for certain species. If they're in a wet area, they go to Rodeo, which is the wetland formulation, since the surfactant in Roundup is toxic to aquatic life. If specifics of spraying are known, TCC could point out vernal pools, etc. There may be an opportunity to submit comments on the plans. Because of the herbicide use, which mimics fire, there are a lot of rare species along rights-of-ways and railroad beds.

**Topsfield Fairgrounds, 207 Boston Street,** (Maps 57 and 49, Lots 4 and 2, respectively):

TCC made a site visit to look at the status of the gabion areas (OoC 307-0646), and found that the condition of the field next to the river used as a parking area was poor. An anonymous complaint has been filed with the State (DEP). The complaint indicates manure was used to fill in ruts, and then a cover of crushed stone was added. Hall discussed requiring a management plan and proposed issuing an Enforcement Order. Spillman indicated that there was an OoC issued which included conditions for activities for the whole site, but it has expired.

MacDougall said the problem has a significant negative effect on the drinking water supply for many people. Manure-laden animal bedding had been discarded in the parking area. In past years, it has been carted out by local farmers and composted. It was suggested to address this issue by identifying the resource areas that are important and coming up with a plan to accommodate as many cars as possible without affecting the resource areas. Hall suggested a management plan approved by TCC in the form of an Order rather than in the form of a letter. A management plan would allow TCC to prevent damage and be specific about expectations. The TCC is looking for a long-term solution. Spillman will work with Hall to write an Enforcement Order and send it out prior to the next meeting.

**TCC Strategic Plan**

Spillman is working with high school volunteers who are expected to start photo documentation on Sunday morning at 12 Boston Street/English Commons Conservation Area. They've been trained on the GPS unit, which belongs to the high school. MacDougall has started mapping the town and its ecological features, based on natural significance with information from vernal pool records and MA Natural Heritage and Endangered Species maps. He suggests identifying river corridors to connect the various areas, and the mapping will be related to how wildlife uses the areas. Hall asked MacDougall to take a portion of the next meeting and brief the TCC. Jolley expressed interest in getting students involved in resource assessment. MacDougall recommended making time to get out in the field on a regular basis, and also suggested a web page devoted to Topsfield's ecological treasures. Many locations around town contain rare species habitat. Spillman will bring the office files for each piece of conservation land under TCC management to the next meeting.

*MacDougall made a motion to cancel the next meeting. Merrill seconded. Unanimous vote in favor. The next TCC meeting will be on November 17.*

MacDougall has been taking information on town maps and converting it to Google Earth. He wants to red flag the ineffective culverts, which also are barriers to wildlife. Hall wants to get others involved.

*Luther made a motion to adjourn. MacDougall seconded. Unanimous vote in favor. The meeting was adjourned at 8:57 p.m.*

Respectfully submitted,

Lisa Nihan-Demeule, Minutes Secretary

*Accepted at the TCC meeting on November 17, 2010*

Pursuant to the 'Open Meeting Law,' G.L. 39, § 23B, the approval of these minutes by the Commission constitutes a certification of the date, time and place of the meeting, the members present and absent, and the actions taken at the meeting. Any other description of statements made by any person, or the summary of the discussion of any matter, is included for the purpose of context only, and no certification, express or implied, is made by the Commission as to the completeness or accuracy of such statements.
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